

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SHANTORIA VALENTINE-DEGUENON,

Defendant.

8:14CR315

ORDER

This matter is before the Court pursuant to defendant's motion to vacate under [28 U.S.C. § 2255](#). [Filing No. 64](#). Under the Rules Governing Section 2255 Proceedings for the United States District Courts ("2255 Rules"), the Court must perform an initial review of the defendant's § 2255 motion. See [28 U.S.C. § 2255](#), Rule 4(b). The rules provide that unless "it plainly appears from the face of the motion and any annexed exhibits and the prior proceedings in the case that the movant is not entitled to relief in the district court," the court must order the United States Attorney to respond to the motion. *Id.*

A jury found defendant guilty of bank robbery, and the Court sentenced her to 63 months in prison. See Filing No. 58 and [Filing No. 61](#). In her § 2255 motion, the defendant alleges that the United States Magistrate Judge and the United States Attorney conspired to violate her rights and stopped her 70 day speedy trial clock from running under the pretext that "we are, were insane because we told them we were exercising our 6th amendment rights to representing herself pro-se." There are no other allegations in defendant's petition for § 2255 relief.

On initial review, the Court finds that it does plainly appear that the defendant is entitled to no relief. Accordingly, the Court finds this claim is frivolous and without merit.

THEREFORE, IT IS ORDERED that on initial review, the Court finds that summary dismissal is appropriate in this case. Defendant's motion to vacate, [Filing No. 64](#), is denied and this action is dismissed.

Dated this 7th day of October, 2015

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge